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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 CHAIM BENMELECH,

8 Plaintiff(s),

Case No. 2:17-CV-1060 JCM (VCF)

ORDER

9 v.

10 ELDORADO RESORTS CORPORATION,  
11 et al.,

12 Defendant(s).

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14 Presently before the court is defendant Eldorado Resorts Corporation's partial motion to  
15 dismiss. (ECF No. 4). Plaintiff Chaim Benmelech has not filed a response, and the deadline to do  
16 so has since passed.

17 Pursuant to Local Rule 7-2(d), "the failure of an opposing party to file points and authorities  
18 in response to any motion . . . constitutes a consent to the granting of the motion." LR 7-2(d).  
19 Thus, by failing to file a timely response, plaintiff has consented to the granting of defendant's  
20 partial motion to dismiss. *See United States v. Hvass*, 355 U.S. 570, 574-75 (1958) (holding that  
21 local rules have the force of law).

22 Accordingly,

23 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that defendant's partial motion  
24 to dismiss (ECF No. 4) be, and the same hereby is, GRANTED WITHOUT PREJUDICE.

25 IT IS FURTHER ORDERED that claims (3), (5), (7), (9), (10), and (11) of plaintiff's  
26 complaint (ECF No. 1) be, and the same hereby are, DISMISSED WITHOUT PREJUDICE.

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1 IT IS FURTHER ORDERED that claim (6), as it pertains to NRS 608.018, of plaintiff's  
2 complaint (ECF No. 1) be, and the same hereby is, DISMISSED WITHOUT PREJUDICE.

3 DATED August 1, 2017.

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6 UNITED STATES DISTRICT JUDGE  
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